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E-FILED 11/14/06

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9 Attorneys for Plaintiffs
Mangosoft, Inc. and Mangosoft Corporation

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN JOSE DIVISION

13 MANGOSOFT, INC. and
14 MANGOSOFT CORPORATION,

15 Plaintiff,

16 v.

17 ORACLE CORPORATION, SUN
MICROSYSTEMS, INC., DELL COMPUTER
18 CORPORATION, AND ELECTRONIC ARTS
INC.,

19 Defendants.

Case No. C03 3089 RS

**STIPULATION OF DISMISSAL
AND ORDER THEREON**

20
21 Plaintiffs Mangosoft, Inc. and Mangosoft Corporation having filed their Complaint
22 against Defendants Oracle Corporation (“Oracle”), Sun Microsystems, Inc., Dell Computer
23 Corporation, and Electronic Arts, Inc. for infringement of U.S. Patent No. 6,148,377 (“the ‘377
24 patent”) and U.S. Patent No. 5,918,229 (“the ‘229 patent”), Defendants having filed their
25 Answers and Counterclaims to the Complaint, Plaintiffs’ claims against Oracle having been
26

Case No. C03 3089 RS

STIPULATION OF DISMISSAL

1 transferred to the United States District Court for the district of New Hampshire and this case
2 having been stayed pending final resolution of all claims and counterclaims in Civil Action No.
3 C02-545-SM, pending in the District of New Hampshire ("the New Hampshire Case"), Plaintiffs
4 and remaining Defendants hereby stipulate to a dismissal without prejudice of their respective
5 claims and counterclaims against each other in this action, subject to the following conditions:
6

7 (1) The claims and counterclaims in this action cannot be re-filed, revived, or otherwise
8 brought in any way until the issuance of a final, non-appealable order finally resolving the claims
9 and counterclaims in the New Hampshire Case; and

10 (2) To the extent permitted by the provisions of condition (1), above, any claim or
11 counterclaim in this action may only be re-filed, revived, or otherwise brought in the Northern
12 District of California.
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14 Each party shall bear its own costs, fees and expenses.
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21 IT IS SO ORDERED THIS 14TH day of November, 2006

22 
23 United States District Court Judge
24
25
26

1 Dated: November 14, 2006

By: _____/s/ Arthur J. Behiel

Paul J. Hayes (*pro hac vice*)

Joseph P. Messina (*pro hac vice*)

Robert R. Gilman (*pro hac vice*)

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LIT 1592877v.1